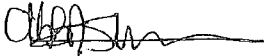


3. The sewage treatment plant is operated by William Deter, class I wastewater operator, who works for Quality Environmental Services. As the Operator of Record, Mr. Deter must keep the records required by Ohio Administrative Code (OAC) chapter 3745-7-09. The records should include his hours at the plant and specific operation and maintenance activities that affect or have the potential to affect the quality or quantity of sewage or effluent. The records are to be kept on site (at the mine).
4. On March 22, 2007, Ohio EPA issued Directors Final Findings and Orders (DFFO) to AEC for a slurry line breach that affected Captina Creek. In accordance with the DFFO, AEC can request termination of the DFFO if a certification is submitted in writing indicating that AEC has performed all of the obligations under the orders. See page 8 of 10 of the DFFO, section VI. Termination. The DFFO can be found on our website at:  
<http://www.epa.ohio.gov/portals/35/enforcement/AmericanEnergyCorp.pdf>
5. The NPDES permit will be renewed this year for AEC. Possible changes to the permit include: compliance schedules to meet Total Dissolved Solids and Toxicity limits; and additional metals monitoring.
6. Captina Creek is an exceptional warmwater habitat stream, one of the highest quality streams in the state of Ohio. It is imperative that AEC make every effort to protect the stream from damages and impacts from the coal mining and other industrial activities.

Please respond to the problems identified in items 2 and 3 above within 20 days of receipt of this notice. If there are any questions, please contact me at (740) 380-5284.

Sincerely,



Ms. Abbot Stevenson  
Environmental Engineer  
Permits and Enforcement Section  
Division of Surface Water

AS/dh

Enclosure

c: Dave Clark, ODNR DMRM  
c: AS file